

REMARKS

Claims 1, 15-18, 27 and 37 are pending in the above application. By the above amendment, claims 5-14 and 19-26 have been cancelled without prejudice.

In a Decision on Appeal dated August 3, 2007, the Board of Patent Appeals and Interferences reversed the rejection of claim 37 under 35 U.S.C. 102(b) and reversed the rejections of claims 1 and 27 under 35 U.S.C. 103(a). However, the Board raised a new rejection of claim 37 under 35 U.S.C. 101, asserting that this claim is not directed to statutory subject matter.

By the above amendment, claim 37 has been revised to recite a step of storing a calculated frame feature value in correlating form with a frame of image data. As disclosed in the specification, this allows for improved image retrieval and therefore provides for a practical application of the claimed method. Claim 37 as amended is submitted to satisfy the requirements of 37 C.F.R. 101.

Claims 15-18 were previously allowed. Claims 1 and 27 and amended claim 37 are also submitted to be allowable. Wherefore reconsideration and allowance of all claims is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

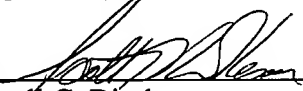
Application No. 09/451,097
Amendment dated September 13, 2007
Reply to Office Action of August 3, 2007

Docket No.: 0033-0630P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: September 13, 2007

Respectfully submitted,

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